

SENATE BILL 3104

By Graves

AN ACT to amend Chapter 306 of the Private Acts of 1951, being the charter of the town of Westmoreland, as amended by Chapter 451 of the Private Acts of 1953, Chapter 121 of the Private Acts of 1955, Chapter 248 of the Private Acts of 1957, Chapter 249 of the Private Acts of 1957, Chapter 26 of the Private Acts of 1963, Chapter 188 of the Private Acts of 1969, Chapter 364 of the Private Acts of 1972, Chapter 141 of the Private Acts of 1977, Chapter 182 of the Private Acts of 1980, Chapter 140 of the Private Acts of 1986, Chapter 158 of the Private Acts of 1994, and any other acts amendatory thereto.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 306 of the Private Acts of 1951, being the charter of the town of Westmoreland, and all acts amendatory thereto, is amended by deleting Section 11 of Article VII which reads as follows:

Section 11. Be it further enacted, That the Town Council of said Town is hereby forbidden to sell, lease, dispose of, or turn over to others for operation, said Town's water and electric system and gas system, or either of them, without the consent of a majority of the qualified voters of said Town obtained at an election held for that purpose and should said Town Council deem it proper to do any of these things, it shall be its duty to submit such proposition to the voters for approval, setting forth the terms, conditions, provisions and details of the proposed transaction in an Ordinance fully passed by the Town Council at least thirty days before certification and cause the same to be certified to the Election Commissioners of Sumner County, Tennessee, or any

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other authority authorized to hold elections in said County, whose duty it shall be to call said election, advertise the same for at least thirty days after certification, by advertisements in a newspaper published in Sumner County, Tennessee, stating the purpose of said election and to hold said election at the regular voting places in said Town. On the ballots used in said election shall be written or printed the words "For Sale," "For Lease" and "Against Sale" or "Against Lease," or for or against whatever the proposition may be, and the voter shall indicate his vote or choice by making a cross mark before or after the appropriate words. All persons qualified to vote in other elections of the Town shall be eligible to vote in said election. The result of said election shall be certified by the Election Commissioners holding the same, to the Town Council.

SECTION 2. Chapter 306 of the Private Acts of 1951, being the charter of the town of Westmoreland, and all acts amendatory thereto, is further amended by renumbering Sections 12 and 13 of Article VII as Sections 11 and 12, respectively.

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the town council of Westmoreland no later than three (3) months from the date this act becomes a law for the purposes of approving or rejecting the provisions of this act. Its approval or non-approval shall be proclaimed by the presiding officer of the town council and certified to the secretary of state.

SECTION 4. For the purposes of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 3.